

## Rob Dubuc

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**From:** Ben Machlis <Ben.Machlis@hro.com>  
**Sent:** Tuesday, January 04, 2011 4:21 PM  
**To:** Rob Dubuc  
**Cc:** Chris Hogle; John Davis; stevealder@utah.gov; mikejohnson@utah.gov  
**Subject:** RE: Clarification

Rob -

No need to use the formal route.

Subject to and without waiving the general and specific objections and reservations expressed in Earth Energy Resources, Inc.'s response, at present, Earth Energy does intend to use the terpene component in the Ophus process, but Earth Energy no longer intends to use a separate stabilizer in the Ophus process.

I have also cc'd Mike Johnson, counsel for the Board, on this email so that he is informed of the clarification.

Sincerely,

Ben Machlis

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**From:** Rob Dubuc [mailto:rdubuc@westernresources.org]  
**Sent:** Tuesday, January 04, 2011 2:35 PM  
**To:** Ben Machlis; John Davis  
**Cc:** Steve Alder  
**Subject:** Clarification

Ben: I can use the more formal route if you'd prefer, but if you're willing to help clarify one of your responses through email, it would save both of us a lot of work.

In your response to our request for production, under #15, you state: "The NOI describes a cleaning emulsion as part of the Ophus process, but Earth Energy has determined it is unnecessary and will not be used as part of the Ophus process." Does that statement mean that EER does not intend to use the citrus-based solvent it's been talking about as part of the Ophus process? If not, would you please clarify what you meant.

Rob Dubuc

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